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SSP 05.29.06

SUPPLEMENTAL ATTACHMENT FOR THE

ADMINISTRATION COMMITTEE & REGIONAL COUNCIL

Thursday, September 14, 2006

Continuing Cooperative Agreements (CCA) Between SCAG and the Subregions

Administration Committee Item 5.1.6 (RC Attachment)

Regional Council Item 3.1.6 (Attachment)

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REPORT

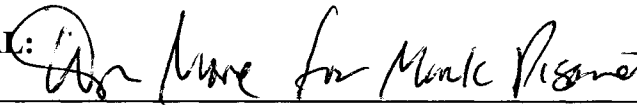
DATE: September 1, 2006

TO: Administration Committee
Regional Council

FROM: Audit Committee

SUBJECT: Amendments to Continuing Cooperative Agreements (CCA)

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Approve the following amendments recommended by the Audit Committee, to the Continuing Cooperative Agreements (CCA) between SCAG and the Subregions:

1. Replace Section 11.e. of the CCA, to provide as follows:

"The Executive Director (or other designated, authorized signatory) of the Subregion shall sign an annual certifications and assurances form entitled "Affirmation of Subregion," which shall be provided to SCAG separately at the time this Agreement and annual, amendments to the Agreement are executed."

2. Replace the "Certification by the Subregional Executive Director," with the attached form entitled, "Affirmation of Subregion."

SUMMARY:

Several of the Subregions have expressed concern over the requirement to certify that the Executive Directors have read and understand the Federal, State and SCAG requirements cited in the CCA. As a result, most of the agreements have not been signed and some work cannot begin on the Fiscal Year 2006-2007 OWP. The Subregional Coordinators requested that the Audit Committee consider alternative language to the existing CCA language.

The Audit Committee convened a meeting on August 31, 2006 to consider the requested amendments to the CCA for Fiscal Year 2006-2007, and approved the referenced amendments.

BACKGROUND:

In an effort to strengthen the requirements for compliance with Federal, State and SCAG rules and regulations governing the expenditure of federal and state grant funds, at its April 19, 2006 meeting the Audit Committee adopted new language for inclusion in the 2006-2007 CCA. New language was added to the CCA that: 1) Recommended that Subregions consider adopting some form of fiscal oversight function, such as an Audit Committee or Finance Committee; 2) Required supporting documentation for all costs charged to the CCA; and 3) That Executive Directors of the Subregion certify that he/she has read and understands the rules and regulations cited in the CCA.

This third recommendation was of concern to the Subregions because, for one stated reason, they did not believe reading and understanding the rules, regulations and guidelines assured compliance with the same. The

REPORT

Subregional Coordinators proposed an “Affirmation of Subregion” statement, similar in form to the “Affirmation of Applicant” form that the SCAG Executive Director executes as part of the State’s annual Overall Work Program.

FISCAL IMPACT:

There is no fiscal impact.

Attachment: Affirmation of Subregion

Affirmation of Subregion

Name of Subregion:

Continuing Cooperative Agreement Number: XXX

Name and Title of Subregional Representative: T. Boss, Executive Director

I hereby certify, as Executive Director of _____(subregion), that (subregion) shall comply with all State and Federal statutes, regulations, executive orders, and directives referenced in the Continuing Cooperative Agreement and the SCAG Audit Guidance for Subregions, relative to the Overall Work Program with SCAG for the 2006/2007 fiscal year.

The assurance the Subregion makes herein applies to each Overall Work Program project for which the Subregion receives, or may later receive, SCAG assistance during the 2006/2007 fiscal year.

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statement made by me on behalf of the Subregion, are true and correct.

Signed,

Date:

Name and Title: T. Boss Executive Director
Subregional Representative